

## **EXHIBIT 1**

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## STATEMENT OF ALALATEX

I, Jean Hill, a partner in ALALATEX do hereby agree to the substitution of Channel 290C3 at Cross Plains, Texas, in lieu of channel 245C3 we previously proposed.

ALALATEX advises the Commission that its interest in Cross Plains will continue to exist for Channel 290C3 at it did for Channel 245C3.

Agreed to and Submitted this 20<sup>th</sup> day of November, 1998

Jean Hill, Partner  
Jean Hill, Partner

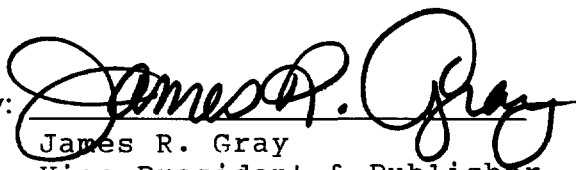
ALALATEX  
6101 Bayou Road  
Mobile, Alabama 36605

**Station KWKQ  
Graham, Texas**

Graham Newspapers, Inc. ("Graham"), licensee of Station KWKQ, Graham, Texas, hereby agrees to have Station KWKQ's license modified to change channel from Channel 296C3 to Channel 234C3 and to relocate its transmitter site to new reference coordinates of 33° 02' 54" North Latitude, 98° 46' 01" West Longitude. Graham hereby states that it will file an application for a new transmitter site, if necessary, in order to operate on the new channel and construct the modified facility. Graham understands that this statement may be used in a filing with the Federal Communications Commission and hereby authorizes its use for that purpose.

I verify that this statement is true and accurate to the best of my knowledge, information and belief and is made in good faith.

GRAHAM NEWSPAPERS, INC.

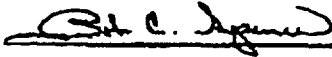
By:   
James R. Gray  
Its: Vice President & Publisher

**Station KWBU  
Waco, Texas**


Baylor University ("Baylor"), licensee of Station KWBU, Waco, Texas, hereby agrees to have Station KWBU's license modified to change channel from Channel 296A to Channel 277A. Baylor understands that this statement may be used in a filing with the Federal Communications Commission and hereby authorizes its use for that purpose.

I verify that this statement is true and accurate to the best of my knowledge, information and belief and is made in good faith.

**BAYLOR UNIVERSITY**

By:   
Bob C. Spence  
Its: Assistant Vice President and Controller

Attest:

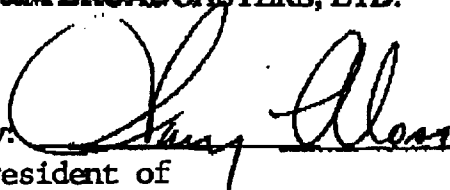
By:   
William D. Underwood  
Secretary

**Station KWOW  
Clifton, Texas**

M&M Broadcasters, Ltd. ("M&M"), licensee of Station KWOW, Clifton, Texas, hereby agrees to have Station KWOW's license and permit modified to change channel from Channel 277C3 to Channel 281C3. M&M intends to promptly file an application to implement the channel change should the Commission approve the amendment to the Table of Allotments. M&M understands that this statement may be used in a filing with the Federal Communications Commission and hereby authorizes its use for that purpose.

I verify that this statement is true and accurate to the best of my knowledge, information and belief and is made in good faith.

**M&M BROADCASTERS, LTD.**


By:   
President of  
Its: General Partner

**Station KXYL  
Brownwood, Texas**

Watts Communications, Inc. ("Watts"), licensee of Station KXYL, Brownwood, Texas, hereby agrees to have Station KXYL's license modified to change channel from Channel 281C1 to Channel 245C1. Watts understands that this statement may be used in a filing with the Federal Communications Commission and hereby authorizes its use for that purpose.

I verify that this statement is true and accurate to the best of my knowledge, information and belief and is made in good faith.

WATTS COMMUNICATIONS, INC.

By:   
Its: *President*

**Station KBAL  
San Saba, Texas**

Equicom, Inc. ("Equicom"), licensee of Station KBAL, San Saba, Texas, hereby agrees to have Station KBAL's license modified to change channel from Channel 246A to Channel 291A at its current site. Equicom will file an application to implement the channel change should the Commission approve the amendment to the Table of Allotments. Equicom understands that this statement may be used in a filing with the Federal Communications Commission and hereby authorizes its use for that purpose.

I verify that this statement is true and accurate to the best of my knowledge, information and belief and is made in good faith.

EQUICOM, INC.

By: RBHali

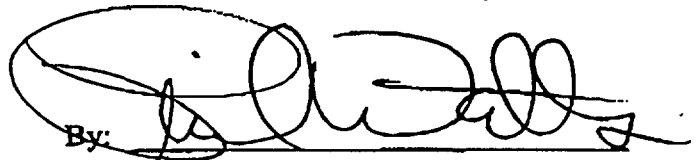
Its: Chairman

**Station KSTA  
Coleman, Texas**

Watts Communications, Inc. ("Watts"), licensee of Station KSTA, Coleman, Texas, hereby agrees to have Station KSTA's license modified to change channel from Channel 296C3 to 272C3. Watts understands that this statement may be used in a filing with the Federal Communications Commission and hereby authorizes its use for that purpose.

I verify that this statement is true and accurate to the best of my knowledge, information and belief and is made in good faith.

WATTS COMMUNICATIONS, INC.

By:   
Its: *President*



Station KZDL(FM)  
Terrell, Texas

KZDL License Co., LLC ("KZDL"), licensee of Station KZDL(FM), Terrell, Texas hereby agrees to have Station KZDL(FM)'s channel changed from 296A to 295A, its transmitter site relocated and its community of license changed to specify Kerens, Texas. KZDL will file an application for the new site, channel, and community of license if the Commission approves the changes. I understand that this statement may be used in a filing with the FCC and I hereby authorize its use for that purpose.

I verify that this statement is true, complete and correct to the best of my knowledge and belief and is made in good faith.

KZDL License Co., LLC

By: 

Station KZDF(FM)  
McKinney, Texas

KZDF License Co., LLC ("KZDF"), Licensee of Station KZDF(FM), McKinney, Texas hereby agrees to have Station KZDF(FM)'s channel changed from 295A to 296A, its transmitter site relocated and its community of license changed to specify Campbell, Texas. KZDF will file an application for the new site, channel, and community of license if the Commission approves the changes. I understand that this statement may be used in a filing with the FCC and I hereby authorize its use for that purpose.

I verify that this statement is true, complete and correct to the best of my knowledge and belief and is made in good faith.

KZDF License Co., LLC

By: 

**Station KYNZ**  
**Lone Grove, Oklahoma**

Chuckie Broadcasting Co. ("Chuckie"), licensee of Station KYNZ, Lone Grove, Oklahoma, hereby agrees to have Station KYNZ's license modified to change channel from Channel 294A to 296C3 and to relocate its transmitter site to 34° 19' 36" North Latitude, 97° 12' 10" West Longitude. Chuckie understands that this statement may be used in a filing with the Federal Communications Commission and hereby authorizes its use for that purpose.

I verify that this statement is true and accurate to the best of my knowledge, information and belief and is made in good faith.

CHUCKIE BROADCASTING CO.

By: 

Its: PRESIDENT

**Station KVRW**  
**Lawton, Oklahoma**

Pat-Tower, Inc. ("Pat-Tower"), licensee of Station KVRW, Lawton, Oklahoma, hereby consents to have KVRW's transmitter site reference point on Channel 297C2 modified from its current authorized site to the coordinates 34° 37' 35" North Latitude, 98° 19' 05" West Longitude. If necessary, Pat-Tower will file an application in compliance with the Commission's rules if the change is granted. Pat-Tower understands that this statement may be used in a filing with the Federal Communications Commission and hereby authorizes its use for that purpose.

I verify that this statement is true and accurate to the best of my knowledge, information and belief and is made in good faith.

PAT-TOWER, INC.

By: 

Its: *Pres.*

*6-27-98*

**Station KLBC  
Durant, Oklahoma**

Durant Broadcasting Corp. ("Durant"), licensee of Station KLBC, Durant, Oklahoma, hereby agrees to have Station KLBC's license modified to change channel from Channel 296 to 292A. Durant understands that this statement may be used in a filing with the Federal Communications Commission and hereby authorizes its use for that purpose.

I verify that this statement is true and accurate to the best of my knowledge, information and belief and is made in good faith.

DURANT BROADCASTING CORP.

By: Sue Landtroop

Its:

**Station KNTU(FM)  
Denton, Texas**

University of North Texas ("UNT"), licensee of noncommercial educational Station KNTU, Denton, Texas, hereby states that it will file an application to change its community of license from Denton, Texas to McKinney, Texas. Upon grant of the application and related changes in the FM Table of Allotments, UNT will implement the change. Station KNTU currently provides a signal to the residents of McKinney adequate to be licensed to McKinney (60 dBu coverage) under Section 73.315(a) of the Commission's Rules. UNT will not be required to make any physical changes to its facility in order to effectuate the change to serve McKinney. UNT understands that this statement may be used in a filing with the Federal Communications Commission and hereby authorizes its use for that purpose.

I verify that this statement is true and accurate to the best of my knowledge, information and belief and is made in good faith.

UNIVERSITY OF NORTH TEXAS

By: Richard Rafes  
Richard Rafes  
Vice Chancellor and General Counsel

## **EXHIBIT A**

Station KCLI  
Clinton, Oklahoma

Tyler Broadcasting Corp. ("Tyler"), licensee of Station KCLI, Clinton, Oklahoma, hereby agrees to have Station KCLI's transmitter site location on Channel 294C1 modified from its current authorized site to a site that will meet standard spacing under Section 73.207 of the Commission's Rules. Tyler will file an application to accommodate the rule making proposal of First Broadcasting Management, LLC and Gain Air Company.

Tyler currently has a pending rule making proposal to change KCLI's community of license to Okarche, Oklahoma and change its class to 294C2. That rule making proceeding is separate and independent of this proceeding, and is unaffected by the present request to change KCLI's authorized transmitter site. Tyler intends to continue to prosecute the Okarche rule making proposal.

Tyler understands that this statement may be used in a filing with the Federal Communications Commission and hereby authorizes its use for that purpose.

I verify that this statement is true and accurate to the best of my knowledge, information and belief and is made in good faith.

**TYLER BROADCASTING CORPORATION**

By: 

Its: Pres.

# **BENBROOK, TEXAS**



## Summary of Regional Population Estimates

The North Central Texas region grew by 112,175 persons last year, yielding a total 1997 population of 4,654,325. This growth in excess of 100,000 marks the first time in the 1990s that new migrants or relocations account for more than one-half of the region's new residents. These migrants are drawn by a sustained economic boom in North Central Texas that created more than 80,000 new jobs last year with an unemployment rate of 4.0%.

Eleven cities captured 50% of all the growth in the North Central Texas area last year. **Plano**, again, led all cities by adding 11,350 new persons. **Dallas** ranks second at 8,250, followed by **Fort Worth** (6,650), **Arlington** (5,850), **Lewisville** (4,200), **Flower Mound** (4,150), **Allen** (3,600), **Irving** (3,400), **Garland** (2,850), **Grand Prairie** and **McKinney** (each with 2,800). All of these cities are in the region's four core counties of Collin, Dallas, Denton and Tarrant.

Consequently, the four core counties accounted for 85% of all last year's growth, achieving a total combined population of 4,035,000 persons. Tarrant led all counties in total growth with 27,600 persons. However, Collin County displayed the highest annual growth rate at 7%, adding 25,900 new persons. Collin also is the only county in the region that has grown by more than 50% since the 1990 census. Dallas County closely followed Collin in total growth with 25,800 new persons and Denton County grew by almost 5% this year adding 16,400 persons.

**Frisco**, the region's second fastest growing city in 1996 at a rate of 16%, tripled its 1990 Census population this year. **Southlake** and **Flower Mound**, the only other cities reporting more than twice their Census counts, ranked

fourth and fifth with population growth rates of 13% and 12%, respectively. These three cities all sit within the State Highway 121 Corridor that has defined high growth in the 1990s. **Corinth** and **Murphy** flanked Frisco as the first and third fastest growing cities last year with rates of 18% and 14%, respectively. These two small cities are relative newcomers to the top ranks of high growth cities and represent the second tier effects of the State Highway 121 Corridor.

New housing construction also saw a ten year high in the number of units completed (37,721) as developers tried to keep pace with the region's population growth. Economic migrants help explain the 45% increase in multi-family construction as 12,832 multi-family units were completed last year. This trend promises to continue into 1997, as an additional 15,000 units are already permitted for construction this year. Multi-family construction has not only increased in total numbers but has also spread beyond the four core counties and into more cities. In 1995, only fourteen cities in our region added at least 50 new multi-family units. In 1996, there were twenty-four cities that built 50 or more units and almost 600 units were built outside the core counties.

	Final Census 4/1/70	Final Census 4/1/80	Final Census 4/1/90	Revised Population 1/1/95	Revised Population 1/1/96	Estimated Population 1/1/97	Compound Annual Growth Rate 1990-1997
<b>Collin County</b>	66,920	144,576	264,036	348,400	371,200	397,100	6.23%
Allen*	1,940	8,314	19,315	26,900	29,450	33,050	8.28%
Celina	1,272	1,520	1,737	1,750	1,800	1,900	1.34%
Fairview	463	893	1,554	2,000	2,100	2,300	5.98%
Farmersville	2,311	2,360	2,640	2,650	2,650	2,650	0.06%
Frisco*	1,845	3,499	6,138	13,850	16,450	19,100	18.31%
Lucas	540	1,370	2,205	2,400	2,650	2,800	3.60%
McKinney	15,193	16,256	21,283	28,400	31,250	34,050	7.21%
Murphy	261	1,150	1,547	1,650	1,850	2,100	4.63%
Parker*	367	1,098	1,213	1,450	1,550	1,650	4.66%
Plano*	17,872	72,331	127,885	169,900	181,050	192,400	6.24%
Princeton*	1,105	3,408	2,448	2,500	2,600	2,650	1.18%
Prosper	501	675	1,018	1,200	1,300	1,400	4.83%
Wylie	2,675	3,152	8,716	9,650	10,100	10,700	3.08%
Remainder of Collin County	17,785	20,109	30,019	33,100	34,050	35,000	2.30%
Split Cities	2,790	8,441	36,318	51,000	52,350	55,350	
<b>Dallas County</b>	1,327,696	1,556,419	1,852,810	1,931,150	1,950,800	1,976,600	0.96%
Addison	593	5,553	8,783	10,200	10,950	11,100	3.53%
Balch Springs	10,464	13,746	17,406	18,300	18,350	18,500	0.91%
Cedar Hill*	2,610	6,849	19,988	24,450	25,550	26,700	4.38%
Cockrell Hill	3,515	3,262	3,746	3,800	3,800	3,800	0.21%
Coppell	1,728	3,826	16,881	24,050	25,500	27,550	7.53%
Dallas*	844,401	904,078	1,007,618	1,034,400	1,039,100	1,047,350	0.57%
DeSoto	6,617	15,538	30,544	33,950	34,750	35,300	2.17%
Duncanville*	14,105	27,781	35,008	35,300	35,650	35,850	0.35%
Farmers Branch	27,492	24,863	24,250	24,500	24,600	25,400	0.69%
Garland*	81,437	138,857	180,635	193,200	195,500	198,350	1.40%
Glenn Heights	257	1,033	4,564	4,650	4,850	5,050	1.51%
Grand Prairie*	50,904	71,462	99,606	104,350	105,350	108,150	1.23%
Highland Park	10,133	8,909	8,739	9,050	9,100	9,450	1.17%
Hutchins	1,715	2,837	2,719	2,750	2,750	2,750	0.17%
Irving	97,260	109,943	155,037	166,350	169,200	172,600	1.60%
Lancaster	10,522	14,807	22,117	22,750	22,950	23,400	0.84%
Mesquite	55,131	67,053	101,484	109,850	111,550	113,400	1.66%
Richardson	48,405	72,496	74,840	78,750	81,100	83,150	1.57%
Rowlett	2,243	7,522	23,260	32,350	34,400	36,750	7.01%
Sachse	777	1,640	5,346	6,700	6,950	7,150	4.40%
Seagoville	4,390	7,304	8,969	9,500	9,600	10,250	2.00%
Sunnyvale	995	1,404	2,228	2,300	2,350	2,400	1.11%
University Park	23,498	22,254	22,259	23,000	23,100	23,850	1.03%
Wilmer	1,922	2,367	2,479	2,500	2,500	2,500	0.13%
Remainder of Dallas County	18,941	9,181	6,197	6,250	6,250	6,250	0.13%
Split Cities	7,641	11,854	(31,893)	(52,100)	(54,950)	(60,400)	
<b>Denton County</b>	75,633	143,126	273,525	320,400	335,650	352,050	3.81%
Argyle	443	1,111	1,575	1,950	2,000	2,000	3.60%
Aubrey	731	948	1,138	1,100	1,100	1,150	0.16%
Carrollton	13,855	40,595	82,169	90,950	93,000	95,050	2.18%
Copper Canyon	NI	465	978	1,150	1,200	1,200	3.08%
Corinth	461	1,264	3,944	4,900	5,300	6,250	7.06%
Denton	39,874	48,063	66,270	69,800	70,450	71,450	1.12%
Double Oak	NI	836	1,664	1,800	1,850	2,050	3.14%
Flower Mound	1,685	4,402	15,527	29,600	33,800	37,950	14.16%
Hickory Creek	218	1,422	1,893	2,000	2,000	2,050	1.19%
Highland Village	516	3,246	7,027	10,350	10,800	11,300	7.29%
Justin	741	920	1,234	1,300	1,400	1,600	2.93%
Krum	454	917	1,542	1,650	1,750	1,800	2.32%
Lake Dallas	1,431	3,177	3,656	4,150	4,650	5,200	5.36%
Lewisville	9,264	24,273	46,521	53,350	57,500	61,700	4.27%
Little Elm	363	926	1,255	1,150	1,200	1,250	(0.06%)
Pilot Point	1,663	2,211	2,538	2,800	2,850	2,900	1.99%
Roanoke	817	910	1,616	1,900	1,900	1,950	2.82%
Sanger*	1,603	2,754	3,514	4,100	4,150	4,200	2.68%
Shady Shores	543	813	1,045	1,350	1,350	1,600	5.50%
The Colony	NI	11,586	22,113	23,150	23,300	23,650	1.00%
Trophy Club	NI	NI	3,922	4,400	4,750	5,150	4.12%
Remainder of Denton County	12,826	19,870	28,072	31,800	32,950	34,100	2.92%
Split Cities	(11,855)	27,583	(25,688)	(24,300)	(23,600)	(23,300)	
<b>Ellis County</b>	46,638	59,743	85,167	91,700	93,850	96,800	1.91%
Ennis*	11,046	12,110	13,869	14,450	14,650	14,900	1.07%
Ferris	2,180	2,228	2,212	2,200	2,200	2,200	(0.08%)
Italy	1,309	1,306	1,699	1,750	1,750	1,750	0.44%
Midlothian*	2,322	3,219	5,040	5,800	6,050	6,250	3.24%
Oak Leaf	NI	NI	984	1,000	1,050	1,100	1.66%
Ovilla	339	1,067	2,027	2,550	2,650	2,800	4.90%
Palmer	601	1,187	1,659	1,650	1,700	1,700	0.36%

	Final Census 4/1/70	Final Census 4/1/80	Final Census 4/1/90	Revised Population 1/1/95	Revised Population 1/1/96	Estimated Population 1/1/97	Compound Annual Growth Rate 1990-1997
<b>Ellis County (continued)</b>							
Red Oak	767	1,882	3,124	3,600	4,050	4,450	5.38%
Waxahachie*	13,452	14,624	17,964	19,100	19,150	20,000	1.59%
Remainder of Ellis County	14,431	21,926	35,857	38,900	39,800	40,750	1.91%
Split Cities	191	194	712	700	800	900	
<b>Erath County</b>	18,141	22,560	27,991	29,050	29,350	30,200	1.13%
Dublin	2,810	2,723	3,190	3,250	3,250	3,300	0.50%
Stephenville	9,277	11,881	13,502	13,700	13,750	14,300	0.85%
Remainder of Erath County	6,054	7,956	11,299	12,100	12,350	12,600	1.63%
<b>Hood County</b>	6,368	17,714	28,981	32,350	33,500	35,000	2.84%
Granbury	2,473	3,332	4,045	4,250	4,500	5,050	3.34%
Remainder of Hood County	3,895	14,382	24,936	28,100	29,000	29,950	2.75%
<b>Hunt County</b>	47,948	55,248	64,343	65,400	65,700	66,100	0.40%
Caddo Mills	935	1,060	1,068	1,100	1,100	1,100	0.44%
Commerce	9,534	8,136	6,825	7,000	7,000	7,100	0.59%
Greenville	22,043	22,161	23,071	23,250	23,350	23,500	0.27%
Quintan	844	1,002	1,360	1,450	1,500	1,500	1.46%
Wolfe City	1,433	1,594	1,505	1,550	1,550	1,550	0.44%
Remainder of Hunt County	13,159	21,295	30,514	31,050	31,200	31,350	0.40%
<b>Johnson County</b>	45,769	67,649	97,165	103,750	105,550	107,850	1.56%
Alvarado	2,129	2,701	2,918	3,000	3,050	3,100	0.90%
Burleson	7,713	11,734	16,113	17,950	18,350	18,850	2.35%
Cleburne	16,015	19,218	22,205	22,700	22,850	23,400	0.78%
Grandview	935	1,205	1,245	1,250	1,250	1,300	0.64%
Joshua*	924	1,470	3,821	4,300	4,400	4,550	2.62%
Keene	2,440	3,013	3,944	4,450	4,450	4,500	1.97%
Venus	414	518	977	1,600	1,650	1,650	8.07%
Remainder of Johnson County	16,133	28,891	47,285	50,950	52,100	53,200	1.76%
Split Cities	(934)	(1,101)	(1,343)	(2,450)	(2,550)	(2,700)	
<b>Kaufman County</b>	32,392	39,015	52,220	56,750	58,050	59,350	1.91%
Combine	249	698	1,329	1,450	1,500	1,550	2.31%
Crandall	774	831	1,652	2,100	2,200	2,250	4.68%
Fomey	1,745	2,483	4,070	4,450	4,700	4,850	2.63%
Kaufman*	4,012	4,658	5,251	5,500	5,550	5,600	0.96%
Kemp	999	1,035	1,184	1,200	1,200	1,200	0.20%
Mabank	1,239	1,443	1,458	1,550	1,550	1,600	1.39%
Terrell	14,182	13,225	12,490	12,650	12,650	12,750	0.31%
Remainder of Kaufman County	9,320	14,779	25,494	28,300	29,150	30,000	2.44%
Split Cities	(128)	(137)	(708)	(450)	(450)	(450)	
<b>Navarro County</b>	31,150	35,323	39,926	40,300	40,350	40,500	0.21%
Corsicana	19,972	21,712	22,911	23,000	23,000	23,050	0.09%
Kerens	1,446	1,582	1,702	1,700	1,700	1,700	(0.02%)
Remainder of Navarro County	9,732	12,029	15,313	15,600	15,650	15,750	0.42%
<b>Palo Pinto County</b>	28,962	24,082	25,055	25,900	26,050	27,350	1.31%
Mineral Wells*	18,411	14,468	14,935	14,850	14,850	16,000	1.03%
Remainder of Palo Pinto County	10,586	9,631	10,602	10,750	11,050	11,300	0.95%
Split Cities	(35)	(37)	(482)	(50)	(50)	(50)	
<b>Parker County</b>	33,888	44,609	64,785	73,550	77,100	80,225	3.22%
Aledo	620	1,027	1,169	1,200	1,250	1,350	2.16%
Hudson Oaks	NI	309	711	1,150	1,200	1,200	8.06%
Reno	688	1,174	2,322	2,450	2,500	2,650	1.98%
Springtown	1,194	1,658	1,740	1,800	1,800	1,850	0.91%
Weatherford	11,750	12,049	14,804	16,550	18,000	18,550	3.40%
Willow Park	230	1,113	2,328	3,050	3,100	3,350	5.54%
Remainder of Parker County	18,617	26,349	40,026	46,100	48,000	50,000	3.35%
Split Cities	789	930	1,685	1,250	1,250	1,275	
<b>Rockwall County</b>	7,046	14,528	25,604	31,050	32,750	34,500	4.52%
Heath	520	1,459	2,108	2,750	2,950	3,150	6.13%
Rockwall	3,121	5,939	10,486	12,200	13,000	13,800	4.15%
Royse City	1,535	1,566	2,206	2,650	2,700	2,750	3.32%
Remainder of Rockwall County	1,605	4,567	7,525	8,700	9,050	9,400	3.35%
Split Cities	265	997	3,279	4,750	5,050	5,400	
<b>Somervell County</b>	2,793	4,154	5,360	5,600	5,700	5,750	1.05%
Glen Rose	1,554	2,075	1,949	1,950	1,950	1,950	0.01%
Remainder of Somervell County	1,239	2,079	3,411	3,650	37,50	3,800	1.61%
<b>Tarrant County</b>	715,587	860,880	1,170,103	1,258,450	1,279,200	1,306,800	1.65%
Arlington*	90,229	160,113	261,717	281,150	287,000	292,650	1.68%

	Final Census 4/1/70	Final Census 4/1/80	Final Census 4/1/90	Revised Population 1/1/95	Revised Population 1/1/96	Estimated Population 1/1/97	Compound Annual Growth Rate 1990-1997
<b>Tarrant County (continued)</b>							
Azle	4,493	5,822	8,868	9,300	9,350	9,500	1.03%
Bedford	10,049	20,821	43,762	45,900	46,600	47,850	1.33%
Benbrook	8,169	13,579	19,564	20,250	20,550	21,150	1.16%
Blue Mound	1,283	2,169	2,133	2,400	2,400	2,400	1.76%
Colleyville	3,342	6,700	12,724	16,200	16,750	17,400	4.75%
Crowley	2,662	5,852	6,974	7,150	7,200	7,300	0.68%
Dalworthington Gardens	757	1,100	1,758	2,050	2,100	2,100	2.67%
Edgecliff Village	1,143	2,695	2,715	2,750	2,750	2,750	0.19%
Eules	19,316	24,002	38,149	39,900	40,850	41,300	1.18%
Everman	4,570	5,387	5,672	5,750	5,750	5,750	0.20%
Forest Hill	8,236	11,684	11,482	11,550	11,550	11,600	0.15%
Fort Worth	393,455	385,164	447,619	473,600	477,850	484,500	1.18%
Grapevine*	7,049	11,801	29,198	33,100	33,800	35,400	2.89%
Haltom City	28,127	29,014	32,856	33,500	33,900	34,800	0.86%
Haslet	276	262	795	1,000	1,000	1,050	4.21%
Hurst	27,215	31,420	33,574	35,650	36,000	36,300	1.16%
Keller	1,474	4,156	13,683	18,250	19,350	20,750	6.36%
Kennedale	3,076	2,594	4,096	4,850	5,000	5,150	3.15%
Lake Worth	4,958	4,394	4,591	4,650	4,650	4,650	0.19%
Mansfield*	3,658	8,102	15,615	19,850	20,800	22,150	5.32%
N. Richland Hills	16,514	30,592	45,895	50,650	51,550	52,550	2.03%
Pantego	1,779	2,431	2,371	2,400	2,400	2,400	0.18%
Pelican Bay	NI	NI	1,271	1,300	1,450	1,500	2.48%
Richland Hills	8,865	7,977	7,978	8,150	8,150	8,300	0.59%
River Oaks	8,193	6,890	6,580	6,600	6,600	6,600	0.04%
Saginaw	2,382	5,736	8,551	9,400	10,000	10,550	3.16%
Sansom Park	4,771	3,921	3,928	3,900	3,900	3,900	(0.11%)
Southlake*	2,031	2,808	7,082	13,350	14,950	16,850	13.70%
Watauga	3,778	10,284	20,009	21,100	21,350	21,700	1.21%
Westworth Village	4,578	3,651	2,350	1,850	1,850	1,850	(3.48%)
White Settlement	13,449	13,508	15,472	15,400	15,400	15,450	(0.02%)
Remainder of Tarrant County	24,110	29,854	33,232	34,050	34,300	34,500	0.56%
Split Cities	1,600	6,397	17,839	21,500	22,100	23,950	
<b>Wise County</b>	19,687	26,575	34,679	36,850	37,550	38,250	1.46%
Boyd	695	889	1,041	1,100	1,100	1,100	0.82%
Bridgeport	3,614	3,737	3,581	3,600	3,650	3,650	0.28%
Decatur*	3,240	4,104	4,245	4,400	4,450	4,550	1.03%
Remainder of Wise County	12,138	17,845	25,812	27,750	28,350	28,950	1.71%
<b>Nine County Urban Area (Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, Tarrant)</b>	2,352,318	2,932,828	3,885,415	4,215,200	4,304,150	4,411,275	1.90%
<b>NCTCOG Region (16 counties)</b>	2,508,442	3,119,806	4,111,750	4,450,300	4,542,150	4,654,325	1.85%

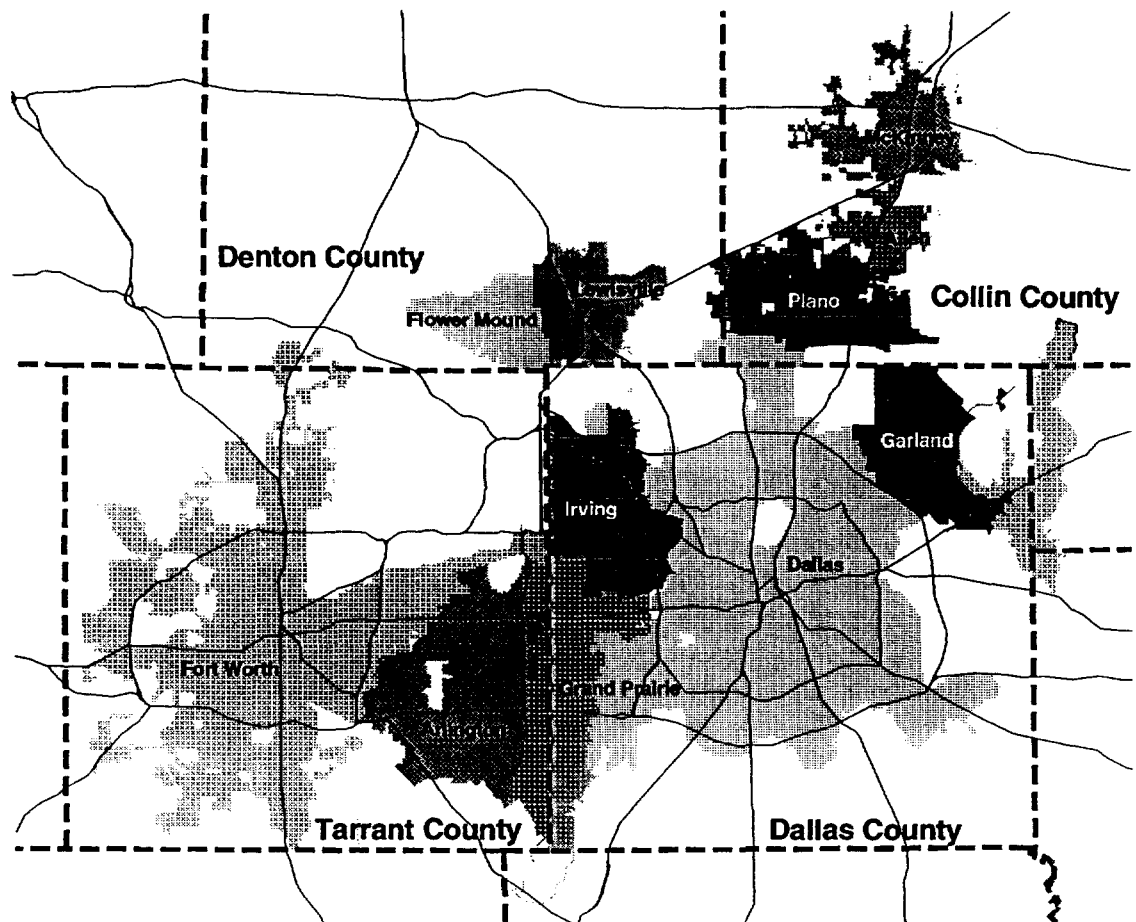
\* 1990 population totals have been officially changed by the Census Bureau.

#### SPLIT CITY TOTALS

Added to	Split Cities	Population	Added to	Split Cities	Population	Added to	Split Cities	Population
<b>Collin County</b>	Dallas	42,561	<b>Denton County</b>	Dallas	19,671	<b>Kaufman County</b>	Dallas	8
	Richardson	14,996		Frisco	1,400		Seagoville	3
	Sachse	651		Southlake	406	<b>Parker County</b>	Azle	1,244
	Royse City	189		Piano	1,388		Mineral Wells	31
	Garland	15		Coppell	6	<b>Rockwall County</b>	Rowlett	5,366
<b>Dallas County</b>	Carrollton	44,612		Fort Worth	3		Dallas	76
	Combine	449	<b>Ellis County</b>	Glenn Heights	934		Wylie	137
	Grapevine	6		Mansfield	156	<b>Tarrant County</b>	Burleson	3,090
	Lewisville	1,550		Cedar Hill	56		Grand Prairie	23,079
	Ovilla	304		Grand Prairie	4			
	Wylie	127	<b>Johnson County</b>	Mansfield	388			

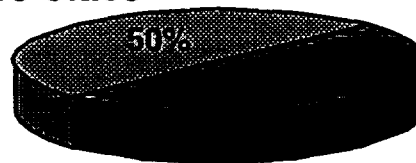
For technical questions, contact *Rocky Gardiner*, Research and Information Services, NCTCOG. To order copies of this and other COG publications, contact *Alice Tate*, Regional Information Center, NCTCOG, 616 Six Flags Drive, Suite 200, P. O. Box 5888, Arlington, Texas 76005-5888, (817) 695-9140.

## Top Ten Cities



## Share of Regional Growth

## Top 10 Cities



## Remaining 126 Cities

\*Grand Prairie and McKinney tied for 10th

## Population Estimates Methodology:

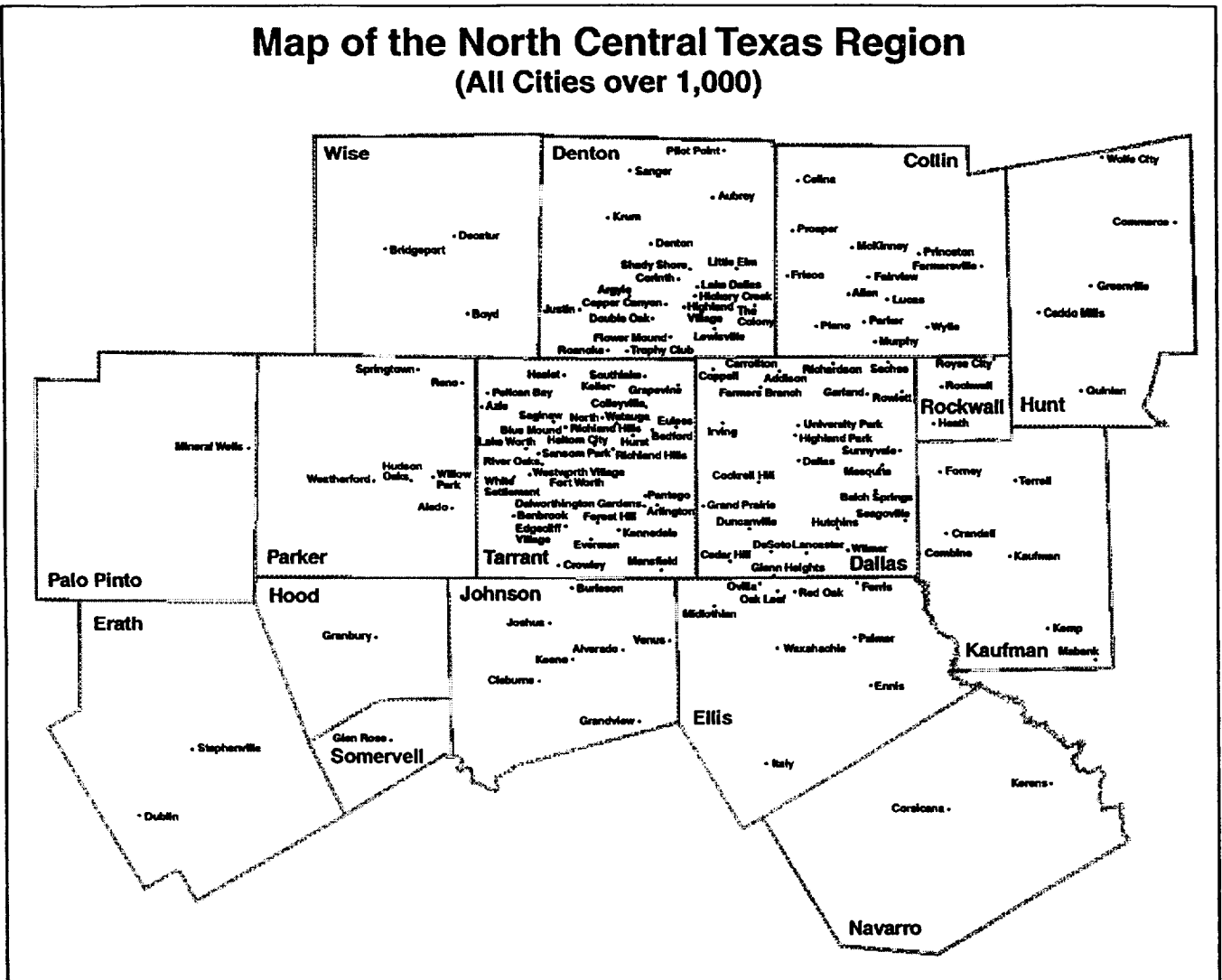
NCTCOG's population estimates are based on current housing inventories for each city in the NCTCOG region with a population of 1,000 or more. The figures are reviewed at the regional level for consistency with other indicators of regional population such as labor force estimates and vital statistics.

Cities complete a building permit form that provides NCTCOG with information on building completions, demolitions, annexations and other changes in housing stock that occurred throughout the prior year. The reported housing units by type (single family, multi family, other) are added to the 1990 Census housing stock figures to develop estimates of current year housing stock. Persons per household figures and occupancy rates were adjusted slightly in order to account for regional and local trends observed from secondary data sources and surveys. These rates were used in

conjunction with building permit data to produce city level population estimates. Final population for January 1, 1996 also includes estimates of persons living in group quarters (nursing homes, dormitories, etc.). All figures are reviewed by each city prior to publication. County level estimates are adjusted for cities that are in more than one county. Remainder of county totals are estimated based upon secondary resources and have been adjusted to reflect annexations.

Revised population estimates require prior year adjustments through methodological changes to ensure consistency. The compound annual growth column provides a convenient indicator of the annual growth rate for each city and county from 1990 to the current year, comparable to a compound interest rate.

# Map of the North Central Texas Region (All Cities over 1,000)



North Central Texas Council of Governments  
Centerpoint Two, 616 Six Flags Drive  
P. O. Box 5888  
Arlington, TX 76005-5888

Bulk Rate  
U.S. POSTAGE  
PAID  
Arlington, Texas  
Permit 90



**Benbrook**

## **City of Benbrook**

911 Winscott Road • P.O. Box 26569 • Benbrook, Texas 76126-0669 • (817) 249-3000 • Fax 249-0664

June 29, 1998

To Whom It May Concern:

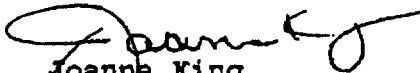
The City of Benbrook is located in southwest Tarrant County. It is located in the Fort Worth Metropolitan Statistical Area, part of the Dallas-Fort Worth Metroplex. The land area is 12 square miles with 1,190 total park acres.

The community was settled in 1850 and became an incorporated city in 1947. Benbrook has a Council-Manager form of government with the City Charter being adopted in 1983. Seven members of City Council are elected at large.

Attached in a copy of the publication "Benbrook, Texas... in brief" that is published by the City's Community Development Department. As you can tell from this publication, Benbrook is a separate entity from the City of Fort Worth.

If additional information is needed, please feel free to call.

Sincerely,

  
Joanna King  
City Secretary

# Benbrook Community Newsletter - June 1998

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## CHAMBER CHAT:

Benbrook Area Chamber of Commerce

E-mail: [benbrook@mesh.net](mailto:benbrook@mesh.net) 249-4451

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## SUMMERFEST '98 AT BENBROOK LAKE

The Chamber invites the entire community to enjoy the exciting activities of SummerFest '98 at Benbrook Lake's Baja Beach on Saturday, June 27, 1998. SummerFest is similar to past Fall Festivals sponsored by Benbrook Firefighters Association but will be held closer to Independence Day. The Chamber received many requests in 1997, especially in November following the fireworks show celebrating Benbrook's 50th Anniversary, to conduct a community festival with a fireworks show on or around July 4th. Therefore, the Chamber will annually sponsor SummerFest at Benbrook Lake for the wonderful Benbrook community!

## SUMMERFEST '98 - SCHEDULE OF EVENTS

- 1:00 p.m. Kickoff - Parade Begins
- 7:00 p.m. Country Concert Featuring "Eagle Rare"
- 9:15 p.m. Old Fashioned Fireworks Show (Sponsored by Benbrook Economic Development Corporation)
- All Day Booths with Food, Drinks, Games, and Crafts
- All Day Entertainment

Entrance to the event will be only \$5.00 per car for a full day of fun, so load up the family and enjoy the excitement of SummerFest '98 at Benbrook Lake! Tickets available prior to the event at area businesses. For more information, contact the Chamber office at 249-4451 or [benbrook@mesh.net](mailto:benbrook@mesh.net).

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## MUNICIPAL MATTERS:

City of Benbrook

E-mail: [cityhall@ci.benbrook.tx.us](mailto:cityhall@ci.benbrook.tx.us)

Web page: <http://www.ci.benbrook.tx.us> 249-3000

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## TRINITY WASTE SERVICES HOLIDAY - JULY 4

Trinity Waste Services will not collect yellow bags on Saturday, July 4, 1998. Normal collection of household refuse, recycling, bulk, and brush will occur on Wednesday, July 8, and the regular schedule for yellow bag collection will resume on Saturday, July 11. Under Trinity's contract with the City, Trinity observes only four holidays per year (Independence Day, Thanksgiving, Christmas, and New Year's Day). For more information, please contact Trinity Waste Services at 332-7301, extension 1.

## CITY BOARDS AND COMMISSIONS



Serving on a City board or commission is a great way to get involved and make a difference in the community. Benbrook boards and commissions include: the Planning and Zoning Commission, Zoning Board of Adjustment, Board of Appeals, Park and Recreation Board, Civil Service Commission, and Economic Development Corporation Board of Directors. Applications are accepted throughout the year and kept on file until positions become vacant. Contact City Secretary Joanna King at 249-3000 for more information.

## **PREVENT PETS FROM RUNNING AT LARGE**

"Running at large" means not completely confined by a building, wall or fence of sufficient strength or construction to restrain the animal, except when such animal is either on a leash or held in the hands of the owner or keeper, or under direct supervision of the owner within the limits of the owner's private property.

It is a violation of Benbrook Municipal Code, Section 6.12.060, for any dog or other animal possessed, kept or harbored, other than a cat, to run at large. Benbrook Animal Control officers may impound animals running at large, other than cats, and may impound a cat that has caused a nuisance (as discussed below) or hazard to the health or welfare of humans or animals.

The following acts are nuisances and constitute violations:

1. the keeping of any animal which, by causing frequent or long continued barking, cry or noise disturbs persons in the vicinity;
2. the keeping of any animal in a manner endangering the public health;
3. the accumulation of animal wastes causing foul and offensive odors or considered to be a hazard to animals or humans;
4. the continued presence of an animal on the property of someone besides the animal's owner; and
5. the keeping of bees in a manner which denies the lawful use of adjacent property or endangers personal health and welfare.

## **HAVE A BLOCK PARTY AND FIGHT FIRE ANTS!**

From Friday, July 10 to Monday, July 20, Benbrook residents are encouraged to participate in block parties to fight fire ants. As explained in the previous edition of the Benbrook Community Newsletter, a Two-Step Method is recommended and involves: 1) applying bait over an entire yard and 2) treating individual mounds. Since the Two-Step Method works best when neighbors treat for fire ants at the same time, residents are encouraged to organize block parties to fight fire ants.

### **BLOCK PARTY TIPS**

#### **Items needed:**

- Fire ant bait product and hand-held seeder

#### **Weather needed:**

- No rain in the forecast for 24 hours after bait application

#### **Steps:**

1. Have a block meeting to select:
  - the block leader;
  - a date for treating and alternate dates (in case of rain or forecasted rain); and
  - a time of day (It is best to treat when ants are foraging. On hot days, evening is best.)
2. Determine roughly how much lawn area is in the block. Example: Block size 150 feet by 200 feet = 30,000 square feet. If 40% of the block is lawns:  $30,000 \times .40 = 12,000$  square feet
3. Read product label to determine how much bait product you need. Each bottle treats a certain amount of square feet.
4. Price the bait and divide the cost among the participants in the block. (If no one has a seeder, you'll need to buy one. Cost is usually less than \$15.)
5. Collect the money.
6. Buy bait (and seeder, if necessary).
7. At selected date and time, check the weather forecast. If no rain is forecast, go to step 8. (If rain is forecast, wait for an alternate date and repeat this step.)
8. Leader kicks off by treating his/her lawn first. (Set seeder to the smallest setting.)
9. Pass the seeder and bait from neighbor to neighbor until all participants have treated their yards.
10. Relax and visit with your neighbors.

**Important Points:**

- Don't apply any pesticide if it's raining or rain is forecast in the next 24 hours.
- Dispose of empty containers according to label directions.
- Read the label to determine what protective clothing should be worn when applying bait.
- Baits act slowly. It could take one to 10 weeks to achieve maximum control, depending on which product is used.

For details about the Two-Step Method, organizing or participating in a block party, contact Shawna Wood at Benbrook City Hall (249-3000).

Fire ant control and block party information provided by the Texas Agricultural Extension Service and the City of Fort Worth.

Information about fire ants is also available from the following Internet Web sites:

- <http://fireant.tamu.edu>
- <http://uts.cc.utexas.edu/~gilbert/research/fireants/faq.html>
- <http://www.tpwd.state.tx.us/nature/wild/insects/fireants.htm>

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**BUILDING BENBROOK:****Benbrook Economic Development Corporation****E-mail: [rrainey@benbrook.org](mailto:rrainey@benbrook.org) 249-6990****BENBROOK SHINES AS A TEXAS STAR CITY**

Benbrook has once again been chosen as a Texas Star City by Outlook Magazine. According to Dallas magazine publisher Erick Kleinsorge, Benbrook is the smallest of the top 30 selected cities and ranked 19th.

The article, titled Outlook's Rising Stars of the Lone Star State Texas' 30 Star Cities for Business Development, which appears in the June issue of Outlook Magazine, reads in part, "The economic development numbers have been computed, and the Texas Star cities are shining bright. Outlook Magazine is proud to present our annual Star City Awards to 30 Texas cities whose economic strength, pro-business policies, and quality of life make them standouts among hundreds of cities and smaller communities in the Lone Star State."

"Outlook surveys cities across the USA and around the world. Every year, our Star Cities survey concentrates on Texas. Throughout the year, we look at what is happening in the Lone Star State and single out top cities that are making a difference. Our analysis includes information from the U.S. Census, Department of Labor, Federal Reserve Board, Chambers of Commerce, Conference Board, Conference of Mayors, Texas Department of Commerce, and National Association of County Officers."

"We didn't just look at numbers, however. While pouring over the kind of basic information a relocating or expanding company would want to obtain about a potential new site, we also examined the cultural, educational, and recreational offerings of cities in Texas with a population of 10,000 or more. We believe the less-mathematical 'quality of life' issues, like climate, housing, recreation, and cultural opportunities make a big difference in attracting and retaining top-notch employees. By incorporating these additional variables, we have come up with a list which balances both big and small cities, while factoring in the degree of aggressiveness a city maintains toward economic development."

"Now final results are in and the race was so close, that we've increased last year's 25 top cities to 30. Texas cities are vibrant and growing areas of cutting-edge commerce. The top 30 cities selected clearly recognize the value in assisting companies and creating a friendly business climate that helps companies stay in business."

In describing Benbrook, the editors of Outlook Magazine said, "On the southwestern side of Fort Worth, Benbrook embraces the northern shoreline of Benbrook lake, combining outstanding recreational opportunities with the amenities of a larger city. Benbrook truly exemplifies 'country living at the city's doorstep'."

"Nestled at the intersection of US 377 and Interstate 20, Benbrook is just minutes away from I-30, I-35 and several state highways. Meacham International Airport is 15 minutes from Benbrook, while the all-cargo Alliance Airport is only a 20-minute drive, and DFW International Airport is 30 minutes from town."

"Industrial activity has been enhanced by Benbrook Economic Development Corporation's purchase of 30

acres in Benbrook Industrial Park. Tracts between 1 and 5 acres will soon be marketed for manufacturing business seeking construction sites."

The top 30 cities selected include:

1) San Antonio, 2) Dallas, 3) McAllen, 4) Corpus Christi, 5) Houston, 6) Fort Worth, 7) Allen, 8) Arlington, 9) Austin, 10) Plano, 11) Farmers Branch, 12) Pearland, 13) Harlingen, 14) Lubbock, 15) Waco, 16) Longview, 17) Paris, 18) Odessa, 19) **Benbrook**, 20) Wichita Falls, 21) Abilene, 22) Denton, 23) Sherman, 24) Amarillo, 25) Brownsville, 26) El Paso, 27) Sugar Land, 28) Addison, 29) Tyler, and 30) Richardson.

## **PROJECTS TO BE BUILT?**

As many Benbrook projects near completion of planning, processing and permitting, the anticipation of site and building construction is growing. Numerous projects have been on the drawing boards for months, and everyone is eager to see tangible results from the many hours involved. It is difficult to guess which projects will emerge from Benbrook soil first; however, among projects previously announced are: Best Western Motel, Dollar General, Motel 6, Jack in the Box, Trinity Ranch Development, Team Ranch Development, and the Meadows Phase II.

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## **WATER WORKS:**

**Benbrook Water & Sewer Authority**

**E-mail: [www.bwsa.org](http://www.bwsa.org) 249-1250**

## **WATER CONSERVATION**

Texas' conventional fresh-water supplies are already 75 to 80 percent developed. More efficient use of precious water resources through water conservation and re-use holds a potential to preserve and extend limited water supplies. Following are suggested ways to conserve water, thereby saving money:

### **In the Kitchen**

- Never run the dishwasher without a full load.
- Use the garbage disposal sparingly or start a compost pile.
- Use a small pan of cold water when cleaning vegetables, rather than running water run over them.
- Keep a container of drinking water in the refrigerator. Running water from the tap until it is cool is wasteful.

### **In the Laundry**

- Run the washing machine with full loads. For partial loads, use the washing machine's lowest water-level setting, if possible.

### **In the Bathroom**

- Install a low-flow showerhead that limits flow from the shower to less than three gallons per minute.
- Take showers instead of baths. Showers with low-flow showerheads often use less water than taking baths. If taking a shower is not possible, reduce the level of water used in a bathtub by one or two inches.
- Test toilets for leaks. Add a few drops of food coloring or a dye tablet to water in the tank, but do not flush the toilet. Watch to see if the coloring appears in the bowl within a few minutes. If it does, the toilet has a silent leak that needs to be repaired.
- Never dispose of cleansing tissues, cigarette butts, or other trash in the toilet. This wastes water and places an unnecessary load on the sewage treatment plant or septic system.
- When brushing teeth, turn the water off until it is time to rinse. When shaving, fill the lavatory basin with hot water instead of running water continuously.

### **For Appliances and Plumbing**

- Check all water-line connections and faucets for leaks. A slow drip can waste as much as 170 gallons of water EACH DAY, or 5,000 gallons per month, and will add to the water bill.
- Learn to repair faucets so that drips can be corrected promptly. It is easy to do, costs little, and can mean a substantial savings in plumbing and water bills.

### **For Outdoor Use**

- Water your lawn only when needed. Do not over-water. Soil can absorb only so much moisture, and the rest simply runs off. One and a half inches of water applied once a week in the summer will keep most Texas grasses alive and healthy.
- Water lawns early in the morning during the hotter summer months. Otherwise, much of the water used on the lawn can simply evaporate between the sprinkler and the grass.
- To avoid excessive evaporation, use a sprinkler that produces large drops of water, rather than a fine mist. Sprinklers that send droplets out on a low angle also help control evaporation.
- Set automatic sprinkler systems to provide thorough, but infrequent watering. Rain shutoff devices can prevent watering in the rain.
- Do not scalp lawns when mowing during hot weather. Taller grass holds moisture better. Grass should be cut fairly often, so that only to inch is trimmed off. A better looking lawn will result.
- Do not "sweep" walk and driveways with the hose. Use a broom or rake instead. When washing the car, use a bucket of soapy water, and turn on the hose only for rinsing.

### **NEIGHBORHOOD NOTES:**

## **SIMPLE WAYS YOU CAN MAKE YOUR NEIGHBORHOOD A BETTER PLACE TO LIVE**

by Richard Lobo, Community Links, Spring 1998

1. Be considerate - if you see litter in front of someone else's house, pick it up.
2. Get to know your neighbors; talk with them about how to improve the quality of life in your neighborhood.
3. Reach out to your neighbors; volunteer to help those with special needs - offer to cook a meal or shop for groceries.
4. Be alert to developing issues in your neighborhood.
5. Work to be a positive influence in your community; get involved in neighborhood activities or projects.
6. Establish a neighborhood watch.
7. Be inclusive when organizing your neighborhood; invite a broad mix of people to your meetings. Don't be afraid to ask your mayor, city manager, state senator, bank president, police/ fire department representatives to your neighborhood meetings or block parties.
8. Band together in a meaningful way. Make your neighborhood's cultural and ethnic diversity a strength.
9. Enjoy fun activities with your neighbors - go on day trips, or host an annual summer barbeque or block party.
10. Publish a newsletter to keep your neighbors informed, especially those who aren't able to attend meetings. Tell them about suspicious activities occurring in your area. Share people's birth dates and reasons for celebration or sympathy.
11. Discover your power as a concerned citizen - change happens one person at a time.

# Benbrook City Charter

## PREAMBLE

We, the people of the City of Benbrook, dedicated to the principle of government by the people and to the belief that justice and equality for all citizens will be attained through local self government, do hereby adopt this Charter. In this act, we do invoke the guidance of God in establishing a municipal government that will administer to the needs and wishes of the people and provide for the welfare of our City.

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## **ARTICLE I FORM OF GOVERNMENT AND BOUNDARIES**

### **Section 1.01 - Incorporation**

The Citizens of the City of Benbrook, Tarrant County, Texas, do hereby declare that the City of Benbrook is incorporated as a political subdivision of the State of Texas under the name of "City of Benbrook", hereinafter referred to as the "City", and with the duties, rights, and powers provided in this Charter.

### **Section 1.02 - Form of Government**

The City government shall be a "Council-Manager Government". Pursuant to the provisions of and subject only to the limitations imposed by this Charter and by the state constitution and statutes, the city council shall be vested with all the powers of the City. The city council shall enact legislation, adopt budgets, determine policies and appoint the city manager. The city manager shall execute the laws and administer the government of the City.

### **Section 1.03 - Boundaries**

The boundaries of the City shall be the ones that exist when this Charter is adopted and shall remain in effect until changed. The official City map will be located in the office of the city secretary.

### **Section 1.04 - Change of Boundaries**

The city council may, by ordinance, annex territory lying adjacent to the City. The city council may, by ordinance, disannex territory within the City, and/or exchange territory with other cities and towns. These actions are subject only to state law. In accordance with state law, the people who reside in annexed territory shall be entitled to all the rights and privileges of citizens of the City, and shall be bound by the acts, ordinances, resolutions, and regulations of the City.

### **Section 1.05 - Petition for Annexation**

The city council may provide for annexation upon petition from a majority of the voters residing in the area to be annexed, or upon petition from a majority of the landowners, such area to be annexed to be adjacent and contiguous to the boundaries of the City.

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## **ARTICLE II**

## **RIGHTS AND POWERS OF THE CITY**

### **Section 2.01 - General**

The City shall have the rights and powers granted to municipalities and cities under the general laws, and the rights and powers of self-government that now exist or may hereafter be granted to Home Rule Cities by the Constitution and the general and special laws of the State of Texas, together with all the rights and powers so granted as fully and completely as though they were enumerated in this Charter. Such rights and powers, whether expressed or implied, shall be exercised and enforced in the manner prescribed by applicable State Law or by this Charter, and when not prescribed herein, in such manner as shall be provided by ordinance or resolution of the city council.

### **Section 2.02 - Construction and Severability**

The rights and powers of the City under this Charter shall be construed liberally in favor of the City in the event of conflict between the City and other governmental agencies or bodies, corporations, or individuals, and the specific mention of particular rights or powers in this Charter shall not be construed as limiting in any way the general rights and powers stated in this Article. In addition, should any phrase, clause, sentence, or provision of this Charter be declared invalid by a court of competent jurisdiction, the validity and applicability of the remainder of this Charter shall not be affected.

### **Section 2.03 - Intergovernmental Relations**

The City may exercise any of its rights and powers or perform any of its functions, and may participate in the financing thereof, either jointly or in cooperation, by contract or otherwise, with any one or more of the States or any political subdivisions or agencies thereof, or with the United States or any agency thereof.

### **Section 2.04 - Transfer of Rights, Powers, and Obligations**

- (a) The City shall succeed to all rights, claims, actions, orders, contracts, and legal or administrative proceedings pending or in process at the effective date of this Charter, except as modified pursuant to the provisions herein; and each matter shall be maintained, carried on, or dealt with by the City authority as appropriate under this Charter.
- (b) All City ordinances, resolutions, orders and regulations in force on the date this Charter becomes fully effective are repealed to the extent that they are inconsistent or interfere with the operation of this Charter or of ordinances or resolutions adopted pursuant hereto. To the extent that the Constitution and laws of the State of Texas permit, all laws governing this City or its agencies, officers, or employees at the time this Charter becomes fully effective are superseded and void to the extent that they are inconsistent or interfere with the operation of this Charter or of ordinances or resolutions adopted pursuant hereto.

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## **ARTICLE III THE CITY COUNCIL**

### **Section 3.01 - City Government**

- (a) City Council Members. The governing body of the City shall be known as the "City Council of the City of Benbrook", hereinafter referred to as the "City Council". The city council shall be composed of a Mayor and six (6) other council members.
- (b) Qualifications. Each member of the city council, including the Mayor, shall meet the following qualifications: (1) be a registered voter of the City; (2) shall have resided in the City for one (1) year before the date of the election; (3) continue their residency in the City during the term of office; (4) not hold another public elective office within the State; and, (5) not hold an appointed office of the City.

### **Section 3.02 - Expense Reimbursement**

Each member of the city council shall receive as reimbursement for necessary expenses, the sum of fifty (\$50) dollars for each regularly scheduled city council meeting duly attended. In addition to the above, the City shall, upon receiving receipts and other appropriate documentation for authorized expenditures, reimburse the members of the city council for other necessary expenses incurred by them in the performance of their official duties.

### **Section 3.03 - Mayor and Mayor Pro Tem**

The Mayor shall preside at city council meetings, and shall be recognized as head of the City government, but shall have no regular administrative duties other than signing such documents as the city council may require. The Mayor shall have all the rights, duties, and responsibilities of a council member including the right to vote, but shall have no veto power. The city council shall elect one of its members Mayor Pro Tem. The Mayor Pro Tem shall act as Mayor in the absence of the Mayor and shall have the same duties and power as the Mayor when so doing.

### **Section 3.04 - General Duties and Powers**

Except as otherwise provided by law or by this Charter, all powers of the City shall be vested in the city council. The city council shall exercise these powers to ensure the performance of all duties and obligations imposed on the City by law and by this Charter. Specifically, the city council is provided with, but not limited to, the following powers:

- (a) To enact municipal legislation.
- (b) To appoint or elect and to remove, after a hearing, all persons appointed by the city council.
- (c) To fix the compensation for all appointed City officers.
- (d) To create, change, or abolish all offices, departments, and agencies of the City government other than those offices and agencies created by this Charter; and to assign additional duties and powers consistent with this Charter to officers, departments, and agencies created by this Charter.
- (e) To establish operating policy.
- (f) To establish the boundaries of the City.

### **Section 3.05 - Prohibitions**

- (a) Holding other office. Except where authorized by law, no member of the city council shall hold any other City office or employment with the City during the term for which the Council member was elected to the city council. No former member of the city council shall hold any compensated appointed City office or employment with the City for a period of two years after the expiration of his term of office.
- (b) Appointments and Removals. Neither the city council nor any of its members shall, in any manner, dictate the appointment or removal of any City administrative officer or employee whom the city manager or any of his subordinates are empowered to appoint. The city council may, however, express its views fully and freely, discussing with the city manager anything pertaining to the appointment and removal of such officers and employees.
- (c) Interference in Administrative Matters. Except for the purpose of inquiry or investigation, the city council shall deal with administrative departments and the personnel of these departments solely through the city manager. Neither the city council nor any of its members shall give an order, either publicly or privately, to any subordinate of the city manager.

### **Section 3.06 - Vacancies and Forfeiture of Office**

- (a) Vacancies. The office of a council member shall become vacant upon the death, resignation, forfeiture of office, or removal from office in any manner authorized by law or by this Charter. All vacancies shall be filled in accordance with Article IV of this Charter.
- (b) Forfeiture of Office. A council member shall forfeit office if the member:
  - (1) Lacks at any time during the term of office any qualification for the office prescribed by law or by this Charter.
  - (2) Violates any express prohibition of this Charter.
  - (3) Fails to attend three consecutive regular meetings of the city council without review and approval of the city council.

### **Section 3.07 - Investigations**

The city council may investigate the affairs of the City and the official conduct of any City department, office, or agency. For this purpose, the city council may subpoena witnesses, administer oaths, take testimony, and compel the production of all pertinent evidence. Any person who fails or refuses to obey a lawful order issued by the city council shall be guilty of a misdemeanor, as provided by ordinance.

### **Section 3.08 - Meeting Procedure**

- (a) Meeting. The city council shall meet in regularly scheduled city council meetings at least twice each month at such time as the members may prescribe by rule; said meetings shall be at least one week apart. Special meetings may be called on the request of the Mayor or four (4) city council members. All city council meetings shall be held at City Hall or at such place

in the City that will permit the attendance of the general public. All city council meetings and all sessions of the city council and committees of the city council shall be held in compliance with the Texas Open Meetings Act.

- (b) Rules and Journal. The city council shall determine its own rules and order of business, and shall provide for keeping a journal of all its proceedings. This journal shall be a public record.
- (c) Voting. Except on procedural motions, voting shall be by roll call. The ayes and nays shall be recorded in the journal. Four (4) members of the city council shall constitute a quorum.

### **Section 3.09 Ordinances**

An ordinance must be adopted by majority vote of a quorum of the city council to accomplish any of the following acts:

- (a) Adopt or amend an administrative code or establish, alter, or abolish any City department, office, or agency.
- (b) Provide for a fine or other penalty, or establish a rule or regulation for violation of which a fine or other penalty is imposed.
- (c) Levy taxes.
- (d) Grant, renew, or extend a franchise.
- (e) Regulate the rate charged for its services by a public utility.
- (f) Authorize the borrowing of money.
- (g) Convey, lease, or authorize the conveyance or lease of any lands of the City.
- (h) Adopt without amendment ordinances proposed under the initiative power.
- (i) Amend or repeal any ordinance previously adopted, except as otherwise provided in this Charter with respect to repeal of ordinances reconsidered under the referendum power.

Acts other than those referred to in (a) through (i) above may be accomplished either by ordinance or by resolution, unless law or specific provisions of this Charter requires that they be enacted by ordinance,

### **Section 3.10 - Procedure for Enactment of Legislation**

- (a) Each proposed ordinance or resolution shall be introduced in written or printed form, and the enacting clause of all ordinances shall be "BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BENBROOK", but such enacting clause may be omitted when the ordinances of the City are codified and published in book or pamphlet form by the City of Benbrook. No ordinance, unless it be declared an emergency measure, shall ever be passed at a called meeting, but may be passed at any regular meeting of the council unless otherwise provided. All resolutions or orders may be passed at any regular meeting or at any special or

called meeting called for that purpose.

- (b) Proposed ordinances shall be published in the official medium as provided by State Law. All such ordinances may be admitted and received in all courts, subject to the rules of evidence and laws of jurisdictions where proof of such ordinances is tendered, without further proof. All meetings and ordinances shall be governed in strict accordance with State law.

### **Section 3.11 - Authentication and Recording, Codification, and Printing**

- (a) Authentication and Recording. The city secretary shall record in full, all ordinances and resolutions adopted by the city council. This record shall be authenticated by the signature of the city secretary.
- (b) Codification. Within three (3) years after adoption of this Charter and at least every year thereafter, the city council shall provide for preparation of a general codification of all City ordinances and resolutions having the force and effect of law. The general codification shall be adopted by council by ordinance, and shall be published promptly in bound or loose-leaf or electronic form with the Charter and any laws of the State of Texas and such codes or technical regulations and other rules and regulations as the city council may specify. This compilation shall be known and cited officially as the "City Code of Benbrook, Texas". Copies of the Code shall be furnished to City officers, placed in public places for free public reference, and made available for purchase by the public at a price determined by the city council to be sufficient to cover costs.

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## **ARTICLE IV MUNICIPAL ELECTIONS**

### **Section 4.01 - City Council Places and Terms**

- (a) The city council shall be divided into seven (7) places, known as "Places 1, 2, 3, 4, 5, 6, and 7". Place 1 is designated as that of Mayor. Places on the official ballot shall be designated "Member of the Council Place " or "Mayor, Place 1". Each place shall be filled by a qualified citizen from the City at large by a majority vote cast by qualified voters.
- (b) The Mayor and each member of the city council shall hold office for a two-year term. Places 1, 3, 5, and 7 shall be elected in odd numbered years, and Places 2, 4, and 6 shall be elected in even numbered years.

### **Section 4.02 Annual Elections**

The regular election for city council members and Mayor, whose terms are expiring, shall be held on the first Saturday in May. Qualified voters shall be entitled to vote for one (1) candidate for each place. The Mayor shall give notice of the election.

### **Section 4.03 Regulation of Election**

All elections shall be held in accordance with the laws of the State of Texas and this Charter. The city council shall appoint the Election Judges, and shall provide for all materials and pay all expenses in holding the elections. The Election Judges shall be authorized to prevent unlawful

practices such as electioneering or loitering near voting places.

#### **Section 4.04 - Political Activities of Salaried Officers, Employees, and Candidates**

(a) No salaried officer or employee of the City may campaign for or against any issue while serving in their official capacity; nor influence the nomination, election, or defeat of any candidate for Mayor or council member; or campaign for or against the recall of the Mayor or council member. This provision shall not prohibit the ordinary exercise of the right to express opinions and to vote.

#### **Section 4.05 - Qualifications for Candidacy**

To be eligible as a candidate for, or elected or appointed to, a place on the city council, a person must meet the qualifications as prescribed in the Texas Election Code. In addition to those qualifications, a candidate shall have resided to the City for one (1) year before the date of the election or appointment and shall be a registered voter of the City.

#### **Section 4.06 - Canvassing of Elections and Declaration of Results**

Returns of each municipal election shall be delivered by the Election Judges to the city secretary and to the Mayor. The city council shall canvass the returns within the time prescribed by the Texas Election Code. The candidate receiving a majority of all the votes cast for each place shall be declared elected. If no candidate receives a majority of all the votes cast for an office, the Mayor shall, upon declaring the official results of the election, immediately order a run-off election for each office remaining to be filled. The run-off election shall be held not earlier than the 20th day or later than the 45th day after the date the final canvass of the main election is completed in accordance with the Texas Election Code. In the run-off election, the ballot shall list, as determined by lot, the names of the two candidates receiving at the first election the first and second highest number of votes for a given office. Any tie in the run-off election shall be decided by lot.

#### **Section 4.07 - Vacancies**

- (a) If a vacancy occurs in the office of the Mayor it shall be filled by Mayor Pro Tem. Any other vacancy on the city council, including a position if vacated by the Mayor Pro Tem, shall be filled by appointment by a majority vote of all of the remaining city council members; however,
- (b) If more than 400 days remain in a city council term when a position is vacated, the vacancy shall be filled not by appointment but by election at the next regular city council election.
- (c) Should two (2) or more city council members vacate their office concurrently with more than sixteen (16) months of their terms remaining, those vacancies shall be filled through a special election.
- (d) Any vacancy in a council position with an unexpired term of less than three (3) months shall not be filled before the next regular election, unless occupancy of that office is necessary to constitute a quorum.

Continue to next section (ARTICLE V)